



General Assembly

Amendment

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LCO No. **6956**

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Offered by:

REP. REED, 102nd Dist.

SEN. DUFF, 25th Dist.

To: Subst. House Bill No. **6473**

File No. 406

Cal. No. 260

"AN ACT CONCERNING THE PUBLIC UTILITIES REGULATORY AUTHORITY, WHISTLEBLOWER PROTECTION, THE PURCHASED GAS ADJUSTMENT CLAUSE, ELECTRIC SUPPLIER DISCLOSURE REQUIREMENTS, THE CALL BEFORE YOU DIG PROGRAM, AND MINOR AND TECHNICAL CHANGES TO THE UTILITY STATUTES."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subdivision (1) of subsection (b) of section 16-8 of the
4 general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective from passage*):

6 (b) (1) The authority may [, within available appropriations,]
7 employ professional personnel to perform management audits. The
8 authority shall promptly establish such procedures as it deems
9 necessary or desirable to provide for management audits to be
10 performed on a regular or irregular schedule on all or any portion of
11 the operating procedures and any other internal workings of any
12 public service company, including the relationship between any public

13 service company and a related holding company or subsidiary,
14 consistent with the provisions of section 16-8c, provided no such audit
15 shall be performed on a community antenna television company,
16 except with regard to any noncable communications services which
17 the company may provide, or when (A) such an audit is necessary for
18 the authority to perform its regulatory functions under the
19 Communications Act of 1934, 47 USC 151, et seq., as amended from
20 time to time, other federal law or state law, (B) the cost of such an audit
21 is warranted by a reasonably foreseeable financial, safety or service
22 benefit to subscribers of the company which is the subject of such an
23 audit, and (C) such an audit is restricted to examination of the
24 operating procedures that affect operations within the state.

25 Sec. 2. Subdivision (5) of subsection (b) of section 16-8 of the general
26 statutes is repealed and the following is substituted in lieu thereof
27 (*Effective from passage*):

28 (5) The results of an audit performed pursuant to this section shall
29 be filed with the authority and shall be open to public inspection.
30 Upon completion and review of the audit, if the person or firm
31 performing or supervising the audit determines that any of the
32 operating procedures or any other internal workings of the affected
33 public service company are inefficient, improvident, unreasonable,
34 negligent or in abuse of discretion, the authority may, after notice and
35 opportunity for a hearing, order the affected public service company to
36 adopt such new or altered practices and procedures as the authority
37 shall find necessary to promote efficient and adequate service to meet
38 the public convenience and necessity. The authority shall annually
39 submit a report of audits performed pursuant to this section to the
40 joint standing committee of the General Assembly having cognizance
41 of matters relating to public utilities which report shall include the
42 status of audits begun but not yet completed and a summary of the
43 results of audits completed. Any such report may be submitted
44 electronically.

45 Sec. 3. Subsections (c) and (d) of section 16-8a of the general statutes

46 are repealed and the following is substituted in lieu thereof (*Effective*
47 *July 1, 2013*):

48 (c) (1) Not more than [thirty] ninety business days after receipt of a
49 written complaint, in a form prescribed by the authority, by an
50 employee alleging the employee's employer has retaliated against an
51 employee in violation of subsection (a) of this section, the authority
52 shall make a preliminary finding in accordance with this subsection.

53 (2) Not more than five business days after receiving a written
54 complaint, in a form prescribed by the authority, the authority shall
55 notify the employer by certified mail. Such notification shall include a
56 description of the nature of the charges and the substance of any
57 relevant supporting evidence. The employer may submit a written
58 response and both the employer and the employee may present
59 rebuttal statements in the form of affidavits from witnesses and
60 supporting documents and may meet with the authority informally to
61 respond verbally about the nature of the employee's charges. The
62 authority shall consider in making its preliminary finding as provided
63 in subdivision (3) of this subsection any such written and verbal
64 responses, including affidavits and supporting documents, received by
65 the authority not more than twenty business days after the employer
66 receives such notice. Any such response received after twenty business
67 days shall be considered by the authority only upon a showing of good
68 cause and at the discretion of the authority. The authority shall make
69 its preliminary finding as provided in subdivision (3) of this subsection
70 based on information described in this subdivision, without a public
71 hearing.

72 (3) Unless the authority finds by clear and convincing evidence that
73 the adverse employment action was taken for a reason unconnected
74 with the employee's report of substantial misfeasance, malfeasance or
75 nonfeasance, there shall be a rebuttable presumption that an employee
76 was retaliated against in violation of subsection (a) of this section if the
77 authority finds that: (A) The employee had reported substantial
78 misfeasance, malfeasance or nonfeasance in the management of the

79 public service company, holding company or licensee; (B) the
80 employee was subsequently discharged, suspended, demoted or
81 otherwise penalized by having the employee's status of employment
82 changed by the employee's employer; and (C) the subsequent
83 discharge, suspension, demotion or other penalty followed the
84 employee's report closely in time.

85 (4) If such findings are made, the authority shall issue an order
86 requiring the employer to immediately return the employee to the
87 employee's previous position of employment or an equivalent position
88 pending the completion of the authority's full investigatory proceeding
89 pursuant to subsection (d) of this section.

90 (d) Not later than thirty days after making a preliminary finding in
91 accordance with the provisions of subsection (c) of this section, the
92 authority shall initiate a full investigatory proceeding in accordance
93 with the provisions of section 16-8, as amended by this act, at which
94 time the employer shall have the opportunity to rebut the
95 presumption. The authority may issue orders, [or] impose civil
96 penalties, order payment of back pay or award attorneys' fees in a
97 manner that conforms with the notice and hearing provisions in
98 section 16-41 against a public service company, holding company or
99 licensee or a person, firm, corporation, contractor or subcontractor
100 directly or indirectly providing goods or services to such public service
101 company, holding company or licensee, in order to enforce the
102 provisions of this section.

103 Sec. 4. Subsection (a) of section 16-19 of the general statutes is
104 repealed and the following is substituted in lieu thereof (*Effective*
105 *October 1, 2013*):

106 (a) No public service company may charge rates in excess of those
107 previously approved by the Public Utilities Control Authority or the
108 Public Utilities Regulatory Authority, except that any rate approved by
109 the Public Utilities Commission, [or] the Public Utilities Control
110 Authority or the Public Utilities Regulatory Authority shall be

111 permitted until amended by the [Public Utilities Control Authority or
112 the] Public Utilities Regulatory Authority, that rates not approved by
113 the [Public Utilities Control Authority or the] Public Utilities
114 Regulatory Authority may be charged pursuant to subsection (b) of
115 this section, and that the hearing requirements with respect to
116 adjustment clauses are as set forth in section 16-19b, as amended by
117 this act. For water companies, existing rates shall include the amount
118 of any adjustments approved pursuant to section 16-262w since the
119 company's most recent general rate case, provided any adjustment
120 amount shall be separately identified in any customer bill. Each public
121 service company shall file any proposed amendment of its existing
122 rates with the authority in such form and in accordance with such
123 reasonable regulations as the authority may prescribe. Each electric,
124 electric distribution, gas or telephone company filing a proposed
125 amendment shall also file with the authority an estimate of the effects
126 of the amendment, for various levels of consumption, on the
127 household budgets of high and moderate income customers and
128 customers having household incomes not more than one hundred fifty
129 per cent of the federal poverty level. Each electric and electric
130 distribution company shall also file such an estimate for space heating
131 customers. Each water company, except a water company that
132 provides water to its customers less than six consecutive months in a
133 calendar year, filing a proposed amendment, shall also file with the
134 authority a plan for promoting water conservation by customers in
135 such form and in accordance with a memorandum of understanding
136 entered into by the authority pursuant to section 4-67e. Each public
137 service company shall notify each customer who would be affected by
138 the proposed amendment, by mail, at least one week prior to the first
139 public hearing thereon, but not earlier than six weeks prior to such first
140 public hearing, that an amendment has been or will be requested. Such
141 notice shall also indicate (1) the date, time and location of any
142 scheduled public hearing, (2) a statement that customers may provide
143 written comments regarding the proposed amendment to the Public
144 Utilities Regulatory Authority or appear in person at any scheduled
145 public hearing, (3) the Public Utilities Regulatory Authority telephone

146 number for obtaining information concerning the schedule for public
147 hearings on the proposed amendment, and [(2)] (4) whether the
148 proposed amendment would, in the company's best estimate, increase
149 any rate or charge by twenty per cent or more, and, if so, describe in
150 general terms any such rate or charge and the amount of the proposed
151 increase, provided no such company shall be required to provide more
152 than one form of the notice to each class of its customers. In the case of
153 a proposed amendment to the rates of any public service company, the
154 authority shall hold [a public hearing] one or more public hearings
155 thereon, except as permitted with respect to interim rate amendments
156 by subsections (d) and (g) of this section, and shall make such
157 investigation of such proposed amendment of rates as is necessary to
158 determine whether such rates conform to the principles and guidelines
159 set forth in section 16-19e, or are unreasonably discriminatory or more
160 or less than just, reasonable and adequate, or that the service furnished
161 by such company is inadequate to or in excess of public necessity and
162 convenience. The authority, if in its opinion such action appears
163 necessary or suitable in the public interest may, and, upon written
164 petition or complaint of the state, under direction of the Governor,
165 shall, make the aforesaid investigation of any such proposed
166 amendment which does not involve an alteration in rates. If the
167 authority finds any proposed amendment of rates to not conform to
168 the principles and guidelines set forth in section 16-19e, or to be
169 unreasonably discriminatory or more or less than just, reasonable and
170 adequate to enable such company to provide properly for the public
171 convenience, necessity and welfare, or the service to be inadequate or
172 excessive, it shall determine and prescribe, as appropriate, an adequate
173 service to be furnished or just and reasonable maximum rates and
174 charges to be made by such company. In the case of a proposed
175 amendment filed by an electric, electric distribution, gas or telephone
176 company, the authority shall also adjust the estimate filed under this
177 subsection of the effects of the amendment on the household budgets
178 of the company's customers, in accordance with the rates and charges
179 approved by the authority. The authority shall issue a final decision on
180 each rate filing within one hundred fifty days from the proposed

181 effective date thereof, provided it may, before the end of such period
182 and upon notifying all parties and intervenors to the proceedings,
183 extend the period by thirty days.

184 Sec. 5. Subsection (h) of section 16-19b of the general statutes is
185 repealed and the following is substituted in lieu thereof (*Effective*
186 *October 1, 2013*):

187 (h) The Public Utilities Regulatory Authority shall continually
188 monitor and oversee the application of the purchased gas adjustment
189 clause, the energy adjustment clause, and the transmission rate
190 adjustment clause. The authority shall hold a public hearing thereon
191 whenever the authority deems it necessary or upon application of the
192 Office of Consumer Counsel, but no less frequently than [once every
193 six months] annually, and undertake such other proceeding thereon to
194 determine whether charges or credits made under such clauses reflect
195 the actual prices paid for purchased gas or energy and the actual
196 transmission costs and are computed in accordance with the applicable
197 clause. If the authority finds that such charges or credits do not reflect
198 the actual prices paid for purchased gas or energy, and the actual
199 transmission costs or are not computed in accordance with the
200 applicable clause, it shall recompute such charges or credits and shall
201 direct the company to take such action as may be required to insure
202 that such charges or credits properly reflect the actual prices paid for
203 purchased gas or energy and the actual transmission costs and are
204 computed in accordance with the applicable clause for the applicable
205 period.

206 Sec. 6. Subsection (a) of section 16-49 of the general statutes is
207 repealed and the following is substituted in lieu thereof (*Effective from*
208 *passage*):

209 (a) As used in this section:

210 (1) "Company" means (A) any public service company other than a
211 telephone company, that had more than one hundred thousand dollars
212 of gross revenues in the state in the calendar year preceding the

213 assessment year under this section, except any such company not
214 providing service to retail customers in the state, (B) any telephone
215 company that had more than one hundred thousand dollars of gross
216 revenues in the state from telecommunications services in the calendar
217 year preceding the assessment year under this section, except any such
218 company not providing service to retail customers in the state, (C) any
219 certified telecommunications provider that had more than one
220 hundred thousand dollars of gross revenues in the state from
221 telecommunications services in the calendar year preceding the
222 assessment year under this section, except any such certified
223 telecommunications provider not providing service to retail customers
224 in the state, (D) any electric supplier that had more than one hundred
225 thousand dollars of gross revenues in the state in the calendar year
226 preceding the assessment year under this section, except any such
227 supplier not providing electric generation services to retail customers
228 in the state, or (E) any certified competitive video service provider
229 issued a certificate of video franchise authority by the [Department of
230 Energy and Environmental Protection] Public Utilities Regulatory
231 Authority in accordance with section 16-331e that had more than one
232 hundred thousand dollars of gross revenues in the state in the calendar
233 year preceding the assessment year under this section, except any such
234 certified competitive video service provider not providing service to
235 retail customers in the state;

236 (2) "Telecommunications services" means (A) in the case of
237 telecommunications services provided by a telephone company, any
238 service provided pursuant to a tariff approved by the authority other
239 than wholesale services and resold access and interconnections
240 services, and (B) in the case of telecommunications services provided
241 by a certified telecommunications provider other than a telephone
242 company, any service provided pursuant to a tariff approved by the
243 authority and pursuant to a certificate of public convenience and
244 necessity; and

245 (3) "Fiscal year" means the period beginning July first and ending
246 June thirtieth.

247 Sec. 7. Subdivision (3) of subsection (a) of section 16-244c of the
248 general statutes, as amended by section 9 of public act 13-5, is repealed
249 and the following is substituted in lieu thereof (*Effective from passage*):

250 (3) An electric distribution company providing electric generation
251 services pursuant to this subsection shall cooperate with the
252 procurement manager of the [Department of Energy and
253 Environmental Protection] Public Utilities Regulatory Authority and
254 comply with the procurement plan for electric generation services
255 contracts. Such plan shall require that the portfolio of service contracts
256 be procured in such manner and duration as the authority determines
257 to be most likely to produce just, reasonable and reasonably stable
258 retail rates while reflecting underlying wholesale market prices over
259 time. The portfolio of contracts shall be assembled in such manner as
260 to invite competition; guard against favoritism, improvidence,
261 extravagance, fraud and corruption; and secure a reliable electricity
262 supply while avoiding unusual, anomalous or excessive pricing. An
263 affiliate of an electric distribution company may bid for an electric
264 generation services contract, provided such electric distribution
265 company and affiliate are in compliance with the code of conduct
266 established in section 16-244h.

267 Sec. 8. Subsection (g) of section 16-244c of the general statutes, as
268 amended by section 9 of public act 13-5, is repealed and the following
269 is substituted in lieu thereof (*Effective from passage*):

270 (g) The [Department of Energy and Environmental Protection]
271 Public Utilities Regulatory Authority shall establish, by regulations
272 adopted pursuant to chapter 54, procedures for when and how a
273 customer is notified that his electric supplier has defaulted and of the
274 need for the customer to choose a new electric supplier within a
275 reasonable period of time or to return to standard service.

276 Sec. 9. Subsection (j) of section 16-244c of the general statutes, as
277 amended by section 9 of public act 13-5, is repealed and the following
278 is substituted in lieu thereof (*Effective from passage*):

279 (j) Each electric distribution company shall offer to bill customers on
280 behalf of participating electric suppliers and to pay such suppliers in a
281 timely manner the amounts due such suppliers from customers for
282 generation services, less a percentage of such amounts that reflects
283 uncollectible bills and overdue payments as approved by the
284 [Department of Energy and Environmental Protection] Public Utilities
285 Regulatory Authority.

286 Sec. 10. Section 16-245d of the general statutes, as amended by
287 section 43 of public act 13-5, is repealed and the following is
288 substituted in lieu thereof (*Effective from passage*):

289 (a) The [Department of Energy and Environmental Protection]
290 Public Utilities Regulatory Authority shall, by regulations adopted
291 pursuant to chapter 54, develop a standard billing format that enables
292 customers to compare pricing policies and charges among electric
293 suppliers. The [department] authority shall adopt regulations, in
294 accordance with the provisions of chapter 54, to provide that an
295 electric supplier, until July 1, 2012, may provide direct billing and
296 collection services for electric generation services and related federally
297 mandated congestion charges that such supplier provides to its
298 customers with a maximum demand of not less than one hundred
299 kilowatts that choose to receive a bill directly from such supplier and,
300 on and after July 1, 2012, shall provide direct billing and collection
301 services for electric generation services and related federally mandated
302 congestion charges that such suppliers provide to their customers or
303 may choose to obtain such billing and collection service through an
304 electric distribution company and pay its pro rata share in accordance
305 with the provisions of subsection (f) of section 16-244c, as amended by
306 [this act] public act 13-5. Any customer of an electric supplier, which is
307 choosing to provide direct billing, who paid for the cost of billing and
308 other services to an electric distribution company shall receive a credit
309 on their monthly bill.

310 (1) An electric supplier that chooses to provide billing and collection
311 services shall, in accordance with the billing format developed by the

312 [department] authority, include the following information in each
313 customer's bill: (A) The total amount owed by the customer, which
314 shall be itemized to show (i) the electric generation services component
315 and any additional charges imposed by the electric supplier, and (ii)
316 federally mandated congestion charges applicable to the generation
317 services; (B) any unpaid amounts from previous bills, which shall be
318 listed separately from current charges; (C) the rate and usage for the
319 current month and each of the previous twelve months in bar graph
320 form or other visual format; (D) the payment due date; (E) the interest
321 rate applicable to any unpaid amount; (F) the toll-free telephone
322 number of the Public Utilities Regulatory Authority for questions or
323 complaints; and (G) the toll-free telephone number and address of the
324 electric supplier. On or before [February 1, 2012] October 1, 2013, the
325 authority shall conduct a review of the costs and benefits of suppliers
326 billing for all components of electric service, and report, in accordance
327 with the provisions of section 11-4a, to the joint standing committee of
328 the General Assembly having cognizance of matters relating to energy
329 regarding the results of such review. Any such report may be
330 submitted electronically.

331 (2) An electric distribution company shall, in accordance with the
332 billing format developed by the authority, include the following
333 information in each customer's bill: (A) The total amount owed by the
334 customer, which shall be itemized to show, (i) the electric generation
335 services component if the customer obtains standard service or last
336 resort service from the electric distribution company, (ii) the
337 distribution charge, including all applicable taxes and the systems
338 benefits charge, as provided in section 16-245l, (iii) the transmission
339 rate as adjusted pursuant to subsection (d) of section 16-19b, (iv) the
340 competitive transition assessment, as provided in section 16-245g, (v)
341 federally mandated congestion charges, and (vi) the conservation and
342 renewable energy charge, consisting of the conservation and load
343 management program charge, as provided in section 16-245m, as
344 amended by [this act] public act 13-5, and the renewable energy
345 investment charge, as provided in section 16-245n; (B) any unpaid

346 amounts from previous bills which shall be listed separately from
347 current charges; (C) except for customers subject to a demand charge,
348 the rate and usage for the current month and each of the previous
349 twelve months in the form of a bar graph or other visual form; (D) the
350 payment due date; (E) the interest rate applicable to any unpaid
351 amount; (F) the toll-free telephone number of the electric distribution
352 company to report power losses; (G) the toll-free telephone number of
353 the Public Utilities Regulatory Authority for questions or complaints;
354 and (H) if a customer has a demand of five hundred kilowatts or less
355 during the preceding twelve months, a statement about the availability
356 of information concerning electric suppliers pursuant to section 16-
357 245p, as amended by [this act] public act 13-5.

358 (b) The regulations shall provide guidelines for determining until
359 October 1, 2011, the billing relationship between the electric
360 distribution company and electric suppliers, including, but not limited
361 to, the allocation of partial bill payments and late payments between
362 the electric distribution company and the electric supplier. An electric
363 distribution company that provides billing services for an electric
364 supplier shall be entitled to recover from the electric supplier all
365 reasonable transaction costs to provide such billing services as well as
366 a reasonable rate of return, in accordance with the principles in
367 subsection (a) of section 16-19e.

368 Sec. 11. Section 16-245o of the general statutes is repealed and the
369 following is substituted in lieu thereof (*Effective October 1, 2013*):

370 (a) To protect a customer's right to privacy from unwanted
371 solicitation, each electric company or electric distribution company, as
372 the case may be, shall distribute to each customer a form approved by
373 the [Department of Energy and Environmental Protection] Public
374 Utilities Regulatory Authority which the customer shall submit to the
375 customer's electric or electric distribution company in a timely manner
376 if the customer does not want the customer's name, address, telephone
377 number and rate class to be released to electric suppliers. On and after
378 July 1, 1999, each electric or electric distribution company, as the case

379 may be, shall make available to all electric suppliers customer names,
380 addresses, telephone numbers, if known, and rate class, unless the
381 electric company or electric distribution company has received a form
382 from a customer requesting that such information not be released.
383 Additional information about a customer for marketing purposes shall
384 not be released to any electric supplier unless a customer consents to a
385 release by one of the following: (1) An independent third-party
386 telephone verification; (2) receipt of a written confirmation received in
387 the mail from the customer after the customer has received an
388 information package confirming any telephone agreement; (3) the
389 customer signs a document fully explaining the nature and effect of the
390 release; or (4) the customer's consent is obtained through electronic
391 means, including, but not limited to, a computer transaction.

392 (b) All electric suppliers shall have equal access to customer
393 information required to be disclosed under subsection (a) of this
394 section. No electric supplier shall have preferential access to historical
395 distribution company customer usage data.

396 (c) No electric or electric distribution company shall include in any
397 bill or bill insert anything that directly or indirectly promotes a
398 generation entity or affiliate of the electric distribution company. No
399 electric supplier shall include a bill insert in an electric bill of an
400 electric distribution company.

401 (d) All marketing information provided pursuant to the provisions
402 of this section shall be formatted electronically by the electric company
403 or electric distribution company, as the case may be, in a form that is
404 readily usable by standard commercial software packages. Updated
405 lists shall be made available within a reasonable time, as determined
406 by the [department] authority, following a request by an electric
407 supplier. Each electric supplier seeking the information shall pay a fee
408 to the electric company or electric distribution company, as the case
409 may be, which reflects the incremental costs of formatting, sorting and
410 distributing this information, together with related software changes.
411 Customers shall be entitled to any available individual information

412 about their loads or usage at no cost.

413 (e) Each electric supplier shall, prior to the initiation of electric
414 generation services, provide the potential customer with a written
415 notice describing the rates, information on air emissions and resource
416 mix of generation facilities operated by and under long-term contract
417 to the supplier, terms and conditions of the service, and a notice
418 describing the customer's right to cancel the service, as provided in this
419 section. No electric supplier shall provide electric generation services
420 unless the customer has signed a service contract or consents to such
421 services by one of the following: (1) An independent third-party
422 telephone verification; (2) receipt of a written confirmation received in
423 the mail from the customer after the customer has received an
424 information package confirming any telephone agreement; (3) the
425 customer signs a contract that conforms with the provisions of this
426 section; or (4) the customer's consent is obtained through electronic
427 means, including, but not limited to, a computer transaction. Each
428 electric supplier shall provide each customer with a demand of less
429 than one hundred kilowatts, a written contract that conforms with the
430 provisions of this section and maintain records of such signed service
431 contract or consent to service for a period of not less than two years
432 from the date of expiration of such contract, which records shall be
433 provided to the [department] authority or the customer upon request.
434 Each contract for electric generation services shall contain all material
435 terms of the agreement, a clear and conspicuous statement explaining
436 the rates that such customer will be paying, including the
437 circumstances under which the rates may change, a statement that
438 provides specific directions to the customer as to how to compare the
439 price term in the contract to the customer's existing electric generation
440 service charge on the electric bill and how long those rates are
441 guaranteed. Such contract shall also include a clear and conspicuous
442 statement providing the customer's right to cancel such contract not
443 later than three days after signature or receipt in accordance with the
444 provisions of this subsection, describing under what circumstances, if
445 any, the supplier may terminate the contract and describing any

446 penalty for early termination of such contract. Each contract shall be
447 signed by the customer, or otherwise agreed to in accordance with the
448 provisions of this subsection. A customer who has a maximum
449 demand of five hundred kilowatts or less shall, until midnight of the
450 third business day after the latter of the day on which the customer
451 enters into a service agreement or the day on which the customer
452 receives the written contract from the electric supplier as provided in
453 this section, have the right to cancel a contract for electric generation
454 services entered into with an electric supplier.

455 (f) Between thirty and sixty days, inclusive, prior to the expiration of
456 a fixed price term for a residential customer, an electric supplier shall
457 provide a written notice to such customer of any change to the
458 customer's electric generation price.

459 ~~[(f)]~~ (g) (1) Any third-party agent who contracts with or is otherwise
460 compensated by an electric supplier to sell electric generation services
461 shall be a legal agent of the electric supplier. No third-party agent may
462 sell electric generation services on behalf of an electric supplier unless
463 (A) the third-party agent is an employee or independent contractor of
464 such electric supplier, and (B) the third-party agent has received
465 appropriate training directly from such electric supplier.

466 (2) On or after July 1, 2011, all sales and solicitations of electric
467 generation services by an electric supplier, aggregator or agent of an
468 electric supplier or aggregator to a customer with a maximum demand
469 of one hundred kilowatts or less conducted and consummated entirely
470 by mail, door-to-door sale, telephone or other electronic means, during
471 a scheduled appointment at the premises of a customer or at a fair,
472 trade or business show, convention or exposition in addition to
473 complying with the provisions of subsection (e) of this section shall:

474 (A) For any sale or solicitation, including from any person
475 representing such electric supplier, aggregator or agent of an electric
476 supplier or aggregator (i) identify the person and the electric
477 generation services company or companies the person represents; (ii)

478 provide a statement that the person does not represent an electric
479 distribution company; (iii) explain the purpose of the solicitation; and
480 (iv) explain all rates, fees, variable charges and terms and conditions
481 for the services provided; and

482 (B) For door-to-door sales to customers with a maximum demand of
483 one hundred kilowatts, which shall include the sale of electric
484 generation services in which the electric supplier, aggregator or agent
485 of an electric supplier or aggregator solicits the sale and receives the
486 customer's agreement or offer to purchase at a place other than the
487 seller's place of business, be conducted (i) in accordance with any
488 municipal and local ordinances regarding door-to-door solicitations,
489 (ii) between the hours of ten o'clock a.m. and six o'clock p.m. unless the
490 customer schedules an earlier or later appointment, and (iii) with both
491 English and Spanish written materials available. Any representative of
492 an electric supplier, aggregator or agent of an electric supplier or
493 aggregator shall prominently display or wear a photo identification
494 badge stating the name of such person's employer or the electric
495 supplier the person represents.

496 (3) No electric supplier, aggregator or agent of an electric supplier
497 or aggregator shall advertise or disclose the price of electricity to
498 mislead a reasonable person into believing that the electric generation
499 services portion of the bill will be the total bill amount for the delivery
500 of electricity to the customer's location. When advertising or disclosing
501 the price for electricity, the electric supplier, aggregator or agent of an
502 electric supplier or aggregator shall [also] (A) disclose the electric
503 distribution company's current charges, including the competitive
504 transition assessment and the systems benefits charge, for that
505 customer class, and (B) on and after January 1, 2014, indicate, using at
506 least a ten-point font size, in a conspicuous part of any advertisement
507 or disclosure that includes an advertised price, the expiration of such
508 advertised price.

509 (4) No entity, including an aggregator or agent of an electric
510 supplier or aggregator, who sells or offers for sale any electric

511 generation services for or on behalf of an electric supplier, shall engage
512 in any deceptive acts or practices in the marketing, sale or solicitation
513 of electric generation services.

514 (5) Each electric supplier shall disclose to the Public Utilities
515 Regulatory Authority in a standardized format (A) the amount of
516 additional renewable energy credits, if any, such supplier will
517 purchase [beyond] other than required credits, (B) where such
518 additional credits are being sourced from, and (C) the types of
519 renewable energy sources that will be purchased. Each electric
520 supplier shall only advertise renewable energy credits purchased
521 beyond those required pursuant to [section] sections 16-245a and 16-
522 243q and shall report to the authority the renewable energy sources of
523 such credits and [whenever the mix of such sources] any changes to
524 the types of renewable energy sources offered.

525 (6) Any electric supplier offering any services or products that
526 contain renewable energy attributes other than the minimum
527 renewable energy credits used for compliance with the renewable
528 portfolio standards pursuant to section 16-245a shall disclose in each
529 customer contract and marketing materials for each such service or
530 product the renewable energy content of the product or service
531 offering and shall make available, on the electric supplier's Internet
532 web site, information sufficient to substantiate the marketing claims
533 about such content.

534 [(6)] (7) No contract for electric generation services by an electric
535 supplier shall require a residential customer to pay any fee for
536 termination or early cancellation of a contract in excess of (A) one
537 hundred dollars; or (B) twice the estimated bill for energy services for
538 an average month, whichever is less, provided when an electric
539 supplier offers a contract, it provides the residential customer an
540 estimate of such customer's average monthly bill.

541 [(7)] (8) An electric supplier shall not make a material change in the
542 terms or duration of any contract for the provision of electric

543 generation services by an electric supplier without the express consent
544 of the customer. Nothing in this subdivision shall restrict an electric
545 supplier from renewing a contract by clearly informing the customer,
546 in writing, not less than thirty days or more than sixty days before the
547 renewal date, of the renewal terms and of the option not to accept the
548 renewal offer, provided no fee pursuant to subdivision [(6)] (7) of this
549 section shall be charged to a customer who terminates or cancels such
550 renewal not later than seven business days after receiving the first
551 billing statement for the renewed contract.

552 [(8)] (9) Each electric supplier shall file annually with the authority a
553 list of any aggregator or agent working on behalf of such supplier.

554 [(g)] (h) Each electric supplier, aggregator or agent of an electric
555 supplier or aggregator shall comply with the provisions of the
556 telemarketing regulations adopted pursuant to 15 USC 6102.

557 [(h)] (i) Any violation of this section shall be deemed an unfair or
558 deceptive trade practice under subsection (a) of section 42-110b. Any
559 contract for electric generation services that the authority finds to be
560 the product of unfair or deceptive marketing practices or in material
561 violation of the provisions of this section shall be void and
562 unenforceable. Any waiver of the provisions of this section by a
563 customer of electric generation services shall be deemed void and
564 unenforceable by the electric supplier.

565 [(i)] (j) Any violation or failure to comply with any provision of this
566 section shall be subject to (1) civil penalties by the [department]
567 authority in accordance with section 16-41, (2) the suspension or
568 revocation of an electric supplier or aggregator's license, or (3) a
569 prohibition on accepting new customers following a hearing that is
570 conducted as a contested case in accordance with chapter 54.

571 [(j)] (k) The [department] authority may adopt regulations, in
572 accordance with the provisions of chapter 54, to include, but not be
573 limited to, abusive switching practices, solicitations and renewals by
574 electric suppliers.

575 Sec. 12. Subsection (a) of section 16-245y of the general statutes is
576 repealed and the following is substituted in lieu thereof (*Effective from*
577 *passage*):

578 (a) Not later than October 1, 1999, and annually thereafter, each
579 electric company and electric distribution company, as defined in
580 section 16-1, shall report to the Public Utilities Regulatory Authority its
581 system average interruption duration index (SAIDI) and its system
582 average interruption frequency index (SAIFI) for the preceding twelve
583 months. For purposes of this section: (1) Interruptions shall not include
584 outages attributable to major storms, scheduled outages and outages
585 caused by customer equipment, each as determined by the
586 [department] authority; (2) SAIDI shall be calculated as the sum of
587 customer interruptions in the preceding twelve-month period, in
588 minutes, divided by the average number of customers served during
589 that period; and (3) SAIFI shall be calculated as the total number of
590 customers interrupted in the preceding twelve-month period, divided
591 by the average number of customers served during that period. Not
592 later than January 1, 2000, and annually thereafter, the authority shall
593 report on the SAIDI and SAIFI data for each electric company and
594 electric distribution, and all state-wide SAIDI and SAIFI data to the
595 joint standing committee of the General Assembly having cognizance
596 of matters relating to energy.

597 Sec. 13. Subsection (c) of section 16-245y of the general statutes is
598 repealed and the following is substituted in lieu thereof (*Effective from*
599 *passage*):

600 (c) Not later than January 1, 2011, and annually thereafter, the
601 [Department of Energy and Environmental Protection] Public Utilities
602 Regulatory Authority shall report to the joint standing committee of
603 the General Assembly having cognizance of matters relating to energy
604 the number of applicants for licensure pursuant to section 16-245
605 during the preceding twelve months, the number of applicants
606 licensed by the [department] authority and the average period of time
607 taken to process a license application. Any such report may be

608 submitted electronically.

609 Sec. 14. Subsection (c) of section 16-262j of the general statutes is
 610 repealed and the following is substituted in lieu thereof (*Effective*
 611 *October 1, 2013*):

612 (c) Each public service company, certified telecommunications
 613 provider and electric supplier shall pay interest on any security
 614 deposit it receives from a customer at the average rate paid, as of
 615 December 30, 1992, on savings deposits by insured commercial banks
 616 as published in the Federal Reserve Board bulletin and rounded to the
 617 nearest one-tenth of one percentage point, except in no event shall the
 618 rate be less than one and one-half per cent. On and after January 1,
 619 1994, the rate for each calendar year shall be not less than the deposit
 620 index as determined by the Banking Commissioner and defined in
 621 subsection (d) of this section for that year and rounded to the nearest
 622 one-tenth of one percentage point, except in no event shall the rate be
 623 less than one and one-half per cent."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-8(b)(1)
Sec. 2	<i>from passage</i>	16-8(b)(5)
Sec. 3	<i>July 1, 2013</i>	16-8a(c) and (d)
Sec. 4	<i>October 1, 2013</i>	16-19(a)
Sec. 5	<i>October 1, 2013</i>	16-19b(h)
Sec. 6	<i>from passage</i>	16-49(a)
Sec. 7	<i>from passage</i>	16-244c(a)(3)
Sec. 8	<i>from passage</i>	16-244c(g)
Sec. 9	<i>from passage</i>	16-244c(j)
Sec. 10	<i>from passage</i>	16-245d
Sec. 11	<i>October 1, 2013</i>	16-245o
Sec. 12	<i>from passage</i>	16-245y(a)
Sec. 13	<i>from passage</i>	16-245y(c)
Sec. 14	<i>October 1, 2013</i>	16-262j(c)